

S.R. 250 - By Senator Snelson: Memorial resolution for Mrs. H. H. Wilson.

S.R. 251 - By Senator Snelson: Memorial resolution for Brack Wiggins.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 72 - Extending congratulations to Leonard Briscoe.

S.R. 242 - By Senator Gammage: Extending welcome to students from Law Elementary School.

S.R. 243 - By Senator Gammage: Extending welcome to students from Mading Elementary School.

S.R. 244 - By Senator Herring: Extending welcome to students from Mary Lee School.

S.R. 245 - By Senator Adams: Extending congratulations to Garry Minton.

S.R. 246 - By Senator Adams: Extending congratulations to Jimmy Arrington.

S.R. 252 - By Senator Adams: Extending congratulations to Alvin Walker.

S.R. 253 - By Senator Ogg: Extending welcome to Sheriff Jack Heard, Houston.

S.R. 254 - By Senator Harrington: Extending welcome to Jimmy Lee, et al.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:30 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

THIRTY-SECOND DAY

(Wednesday, March 7, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend Dr. Marvin Griffin, Ebenezer Baptist Church, Austin, Texas, offered the invocation as follows:

O Gracious God, Father of us all, we are thankful for the gift of this day and the opportunity to be workers together with You in fashioning a world of justice and peace.

Grant that the members of the Senate may be channels of Your grace. O Lord, You have no eyes but our eyes, no mouth but our mouth, no hands but our hands, no feet but our feet. Give us eyes to see, courage to speak and the will to do that which pleases You. May our deliberation, decisions and deeds hasten the day when justice will well up like fresh water and honesty will roll in full tide.

We pray in the name of Him on whose shoulders all good government rests. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Aikin submitted the following report for the Committee on Finance:

S.B. 375

Senator Herring submitted the following reports for the Committee on Jurisprudence.

S.B. 373

S.B. 374

The nomination of The Honorable Frank G. Evans, III to be Associate Justice of the Court of Civil Appeals for the First Supreme Judicial District.

Senator Hightower submitted the following reports for the Committee on Administration:

S.R. 219

H.C.R. 11

Senator Mauzy submitted the following reports for the Committee on Education:

S.B. 162

S.B. 352 (Amended)

S.B. 339

H.B. 89

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas March 7, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 24, Requesting vegetable-producing states to join Texas in urging Congress to act as their agent in dealing with foreign governments.

H.C.R. 39, In memory of Laura Burleson Negley.

H.C.R. 44, Memorializing Congress to redo the Social Security benefits at age 65.

H.J.R. 7, Proposing amendments to Article XVI, Sections 50 and 51, of the Texas State Constitution, to include within the scope of homestead protection the real property of a single adult person which meets the other requirements of homestead property, and to provide that a family homestead may not be abandoned except with the consent of both spouses.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Kothmann:

S.B. 489, A bill to be entitled An Act relating to the maintenance of safe bridges by the City of San Antonio; requiring construction of bridges which meet minimum standards of safety; placing responsibility; providing for penalties and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Brooks:

S.B. 490, A bill to be entitled An Act relating to the authority, powers, and duties of the State Department of Health to control noise; establishing the Noise Control Advisory Board; providing penalties; and declaring an emergency.

To Committee on Human Resources.

By Senator Brooks:

S.B. 491, A bill to be entitled An Act relating to changing the name of the board of directors of Texas Southern University; amending Section 106.11, Subchapter B, Chapter 106, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Brooks:

S.B. 492, A bill to be entitled An Act relating to the establishment of school-community guidance center pilot programs financed under the minimum foundation school program; amending Chapter 16, Texas Education Code, by adding Subchapter H; and declaring an emergency.

To Committee on Education.

By Senator Brooks:

S.B. 493, A bill to be entitled An Act relating to fees collected by county clerks and clerks of the county courts in certain counties; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Brooks:

S.B. 494, A bill to be entitled An Act relating to the certification for use of certain pressure vessels; providing for penalties for violations of this Act; providing an effective date; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Brooks:

S.B. 495, A bill to be entitled An Act relating to the establishment, powers, duties, and functions of a division of environmental study and

coordination in the Governor's office; and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

S.B. 496, A bill to be entitled An Act relating to the creation of a Pressure Vessel Division in the Bureau of Labor Statistics and the Board of Pressure Vessel Rules and defining their duties and responsibilities; requiring that pressure vessels meet certain standards; providing penalties; and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

S.B. 497, A bill to be entitled An Act relating to fees collected by county clerks and county recorders in certain counties; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Brooks:

S.B. 498, A bill to be entitled An Act relating to certain requirements and fees for filing legal papers in the office of the county clerk and county recorder; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Gammage and Mengden:

S.B. 499, A bill to be entitled An Act ratifying, confirming, approving and validating the creation and organization of and all proceedings and actions taken by the board of directors of the Crosby Municipal Utility District of Harris County, Texas which was created by act of the 59th Legislature, page 1193, Chapter 554 (Article 8280-315, Vernon's Annotated Civil Statutes of Texas) under the provisions of Article XVI, Section 59 of the Constitution of Texas, including all proceedings and actions taken by the board of directors or governing bodies of said district in organizing, selecting officers, adding or annexing land or excluding land, authorizing, selling, or issuing the bonds of said district; all bonds heretofore voted, authorized approved, sold or issued by said district, and related matters; providing a non-litigation clause; providing a saving clause; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Moore:

S.B. 500, A bill to be entitled An Act authorizing the Board of Directors of the Texas A and M University System to lease, construct, and acquire buildings and improvements and sites therefor in the Texas Medical Center in Houston for classrooms, research space, and residential space for conducting research in nursing and for teaching senior-level nursing students from Prairie View Agricultural and Mechanical College of Texas; providing for research, teaching, and residential space for health related courses, research, and service programs involving Texas A and M University in cooperation with medical colleges in the Houston area; authorizing the expenditure of General Revenue funds; authorizing the issuance of revenue bonds and pledges of revenues of the Board and tuition charges in support of such bonds; authorizing the Board to accept and administer grants and gifts; providing a severability clause; and declaring an emergency.

To Committee on Education.

By Senator Santiesteban:

S.B. 501, A bill to be entitled An Act relating to the option of certain faculty members to rejoin the optional retirement system after becoming a member of the teacher retirement system; amending Section 51.355, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Braecklein:

S.B. 502, A bill to be entitled An act relating to authorizing the Parks and Wildlife Commission to transfer certain property from one division of the department to another; providing for the repayment of dedicated funds in certain circumstances; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Braecklein:

S.B. 503, A bill to be entitled An Act prohibiting the hunting with the aid of an artificial light wild game animals and birds; prohibiting the hunting with the aid of an artificial light on a public road all wild animals and birds; providing a penalty; amending Article 902, Penal Code of Texas, 1925; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Harrington:

S.B. 504, A bill to be entitled An Act relating to requirements for the promotion of certain firemen who are covered by civil service; amending Subsection D, Section 14, Chapter 325, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 1269m, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Jones:

S.B. 505, A bill to be entitled An Act relating to petitions requesting an election for the creation of junior college districts; amending Subsection (c), Section 130.033, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Braecklein:

S.B. 506, A bill to be entitled An Act to amend Subchapter D, Chapter 21, Texas Education Code, by adding a Section 21.118, to authorize and provide for the establishment and administration of a comprehensive Crime and Narcotics education program encompassing the services and efforts of regional education service centers and Texas school districts; providing guidelines to be considered in program development purposes; providing for an appropriation of State funds in support thereof, and for an effective date of this Act; and declaring an emergency.

To Committee on Education.

By Senator Longoria:

S.B. 507, A bill to be entitled An Act relating to prohibiting the hunting of certain game from any motor vehicle; increasing the minimum penalty for a violation of Article 901, Penal Code of Texas, 1925, as amended; amending Article 901, Penal Code of Texas, 1925, as amended; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Longoria:

S.B. 508, A bill to be entitled An Act relating to the issuance of licenses by the Texas cosmetology commission; amending Subsection (a), Section 18, and Section 38, Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971 (Article 743c, Vernon's Texas Penal Code) by adding a new Subsection (d); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Longoria:

S.B. 509, A bill to be entitled An Act relating to the possession of deer carcasses before final processing; amending Section 6, Chapter 370, Acts of the

55th Legislature, Regular Session, 1957 (Article 895c, Vernon's Texas Penal Code), as amended; amending Article 910, Penal Code of Texas, 1925, as amended; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Hightower:

S.B. 510, A bill to be entitled An Act relating to exempting all repair, remodeling, and maintenance projects of the State Board of Control from certain provisions of the State Building Construction Administration Act; amending Section 3, Chapter 455, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 678f, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senators Aikin, Schwartz, Wolff, Longoria and McKinnon:

S.B. 511, A bill to be entitled An Act amending Chapter 16 of the Texas Education Code; declaring that this Act is not intended to alter or effect other laws or other Chapters of the Texas Education Code; providing the effective date of this Act; declaring the Act to be severable; and declaring an emergency.

To Committee on Education.

By Senator Aikin:

S.B. 512, A bill to be entitled An Act relating to the composition of The University of Texas System; confirming the authority of the Board of Regents of The University of Texas System to arrange the administration, organization, and names of the System institutions and entities in such way as will achieve their maximum operating efficiency; amending Subchapter A, Chapter 65, Texas Education Code, by adding a new Section 65.02; amending Section 65.11, Texas Education Code; providing that this Act shall be cumulative of all other existing laws; providing for severability; repealing all laws in conflict; and declaring an emergency.

To Committee on Finance.

By Senator Adams:

S.B. 513, A bill to be entitled An Act amending Section 88.106, Subchapter B of Chapter 88, Title 3, Texas Education Code, so as to add duties and authority of the state forester in developing rural fire protection plans; providing training in suppression of fires; to sell, lend, or otherwise make available to organized fire fighting groups fire control equipment available to the Texas Forest Service, including obsolete equipment and federal excess or surplus property; and declaring an emergency.

To Committee on Natural Resources.

By Senators Patman and Herring:

S.B. 514, A bill to be entitled An Act relating to the modification of benefits for paid and volunteer firemen under the Firemen's Relief and Pension Fund; amending Section 7F, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Patman:

S.B. 515, A bill to be entitled An Act relating to the jurisdiction and terms of the 27th, 146th, and 169th District Courts and the jurisdiction of the County Court and County Court at Law of Bell County; amending Subsection (b), Section 1, Chapter 208, Acts of the 60th Legislature, 1967 (Article 1970-350, Vernon's Texas Civil Statutes); amending Subdivision 27, Article 199, Revised Civil Statutes of Texas, 1925, as amended; amending Section 3, Chapter 490, Acts of the 56th Legislature, Regular Session, 1959 (Subdivision 146, Article

199, Vernon's Texas Civil Statutes); amending Section 3.003, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), by adding Subsection (b); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Wallace:

S.B. 516, A bill to be entitled An Act relating to disqualification of certain persons connected with lobbying from certain appointive state offices; prescribing a penalty; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Wallace:

S.B. 517, A bill to be entitled An Act relating to the jurisdiction of the district court and to trial by jury in probate matters; amending Sections 5 and 21, Texas Probate Code; making effectiveness of this Act contingent upon passage of a constitutional amendment; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Wallace:

S.B. 518, A bill to be entitled An Act relating to the appointment of an executive director and staff for the Texas Conservation Foundation; amending Section 2, Chapter 807, Acts of the 61st Legislature. Regular Session, 1969 (Article 6145-7, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Wallace:

S.B. 519, A bill to be entitled An Act relating to the administration and operation of programs and institutions for dependent and neglected children by the Harris County Child Welfare Board; adding Subchapter E to Chapter 288, Acts of the 59th Legislature, Regular Session, 1965 (Article 5139VV, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senators Brooks, Schwartz, Traeger and Wallace:

S.B. 520, A bill to be entitled An Act to amend the Harris County Road Law, Acts 1913, Thirty-third legislature, Special Laws, Chapter 17, page 64, as amended, by amending Section 31-C of said Harris County Road Law, which said Section 31-C was added by Acts, 1947, Fiftieth Legislature, Chapter 205, page 358, amended by Acts, 1953, Fifty-third Legislature, Chapter 385, page 924, Acts, 1959, Fifty-sixth Legislature, Chapter 68, page 120, and Acts, 1963, Fifty-eighth Legislature, Chapter 369, page 940; providing a severability clause; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Gammage:

S.B. 521, A bill to be entitled An Act relating to the liability of school districts for catastrophic injuries to pupils; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Gammage:

S.B. 522, A bill to be entitled An Act relating to the establishment of agencies and procedures for environmental protection by counties and groups of counties; providing penalties; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senators Brooks, Ogg, Gammage, Wallace, Schwartz and Mengden:

S.B. 523, A bill to be entitled An Act relating to the creation of the County Criminal Courts at Law Nos. 5, 6, and 7 of Harris County; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Brooks, Ogg, Gammage, Wallace, Schwartz and Mengden:

S.B. 524, A bill to be entitled An Act relating to the creation of the 240th and 241st Judicial Districts, each composed of Harris County; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), by adding Sections 3.037 and 3.038; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Clower:

S.B. 525, A bill to be entitled An Act amending Act 1949, 50th Legislature, p. 697, Chapter 352 as amended (Article 6228a, Revised Civil Statutes of Texas), with respect to service retirement benefits for certain Elective State Officials; amending Section 5, Subsection D by adding a new paragraph 1a; providing severability, an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senators Schwartz, Mauzy and Wallace:

S.B. 526, A bill to be entitled An Act amending Senate Bill 1, 3rd Called Session, 62nd Legislature, 1972, by transferring \$14,000 from Item 9, "Consumable supplies and materials, current and recurring operating expenses (excluding travel expense) and necessary expenses for computer" to Item 5, "Salaries of classified positions" in the appropriations for the Industrial Accident Board; and declaring an emergency.

To Committee on Finance.

By Senator Schwartz:

S.B. 527, A bill to be entitled An Act relating to the compensation of the criminal district attorney of Galveston County; amending Section 4, Chapter 124, Acts of the 54th Legislature, 1955, as amended (Article 326k-28, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Schwartz:

S.B. 528, A bill to be entitled An Act relating to the preparation of the judgment in criminal cases; amending Article 42.01, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Schwartz:

S.B. 529, A bill to be entitled An Act providing that the District Clerk may charge a reasonable fee for the performance of certain duties; amending Article 3928, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Schwartz:

S.B. 530, A bill to be entitled An Act relating to the taking of oysters from a polluted area and to the returning of undersized oysters; amending Section 8, Chapter 471, Acts of the 62nd Legislature, Regular Session, 1971 (Article 962a, Vernon's Texas Penal Code), and adding a new Section 6A; and declaring an emergency.

To Committee on Natural Resources.

By Senator Schwartz:

S.B. 531, A bill to be entitled An Act authorizing the Parks and Wildlife Department to issue licenses for shellfish culture; requiring a license for shellfish culture; defining terms; establishing license fees and requirements; requiring record maintenance; permitting harvest at any time, at

any size; by any means and permitting sale; requiring certification of disease free exotics; authorizing the Parks and Wildlife Department to issue permits for collection of broodstock; repealing existing and conflicting laws; providing severability; providing a penalty for violation or failure to comply; and declaring an emergency.

To Committee on Natural Resources.

By Senator Longoria:

S.B. 532, A bill to be entitled An Act relating to cumulative voting in the election of directors of state banks; amending Article 2, Subchapter IV, Texas Banking Code of 1943, as amended (Article 342-402, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Clower:

S.B. 534, A bill to be entitled An Act relating to filing of sworn statements of certain water rights; amending Section 5.303, Water Code, by adding Subsection (m); and declaring an emergency.

To Committee on Natural Resources.

By Senator Clower:

S.B. 535, A bill to be entitled An Act relating to the reimbursement of certain hospital districts for services rendered to nonresident patients; amending Section 5, Chapter 266, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4494n, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Clower:

S.B. 536, A bill to be entitled An Act authorizing the commissioners court of certain counties to establish and enforce subdivision development standards in certain unincorporated territory; providing for severability; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Clower:

S.B. 537, A bill to be entitled An Act relating to the transfer of certain persons to the Texas Department of Corrections pending appeal from a felony conviction; adding Article 44.041 to the Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Clower, Moore, Harrington and Schwartz:

S.B. 540, A bill to be entitled An Act creating the Texas Telephone Commission and prescribing its powers, duties and procedures; providing an appropriation; amending and repealing certain statutes; and declaring an emergency.

To Committee on Human Resources.

By Senator Mengden:

S.B. 548, A bill to be entitled An Act relating to the repeal of the insanity defense in criminal cases; amending Article 34, Penal Code of Texas, 1925; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

S.B. 549, A bill to be entitled An Act relating to the recovery of costs and attorney's fees in libel and slander suits; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Aikin:

S.B. 552, A bill to be entitled An Act relating to the establishment of independent school districts and operation of schools at state facilities for the mentally retarded of the Texas Department of Mental Health and Mental Retardation; providing for the operational costs of schools created pursuant to this Act; providing for salary supplements; providing for severability; and declaring an emergency.

To Committee on Education.

By Senator Brooks:

S.J.R. 24, Proposing an amendment to Article III, Section 48a, Constitution of the State of Texas, to reduce the minimum service requirement for eligibility under the Teacher Retirement System from 10 years to 5 years.

To Committee on Education.

By Senator Traeger:

S.J.R. 25, Proposing an amendment to Article VIII of the Texas Constitution by adding a Section 2C authorizing the legislature to exempt certain water supply corporations and cooperatives from the property tax on certain facilities.

To Committee on Finance.

HOUSE RESOLUTIONS ON FIRST READING

The following resolutions received from the House, were read the first time and referred to the Committee indicated:

H.J.R. 7, To Committee on State Affairs.

H.C.R. 24, To Committee on Natural Resources.

H.C.R. 44, To Committee on Human Resources.

SENATE RESOLUTION 264

Senator Kothmann offered the following resolution:

WHEREAS, On March 1, 1973, the San Antonio Junior Chamber of Commerce awarded the coveted title of Outstanding Young Man of 1972 to our distinguished colleague, Senator Nelson William Wolff; and

WHEREAS, Although the political career of Nelson Wolff consists of only one term in the Texas House of Representatives prior to his election to the Senate in 1972, he has accomplished more than many veteran legislators have; he is considered by many to be one of the most promising political leaders of South Texas; and

WHEREAS, At the age of thirty-two years, he holds the distinction of being the youngest Senator in the 63rd Legislature; he earned his B.B.A. and J.D. degrees in 1966 from St. Mary's University in San Antonio; his academic honors include the Judge Norvell Moot Court Award, his selection as Phi Delta Phi's Outstanding Graduate in 1966, and his election as president of the student body at St. Mary's University; and

WHEREAS, Nelson Wolff began his political career when he was elected to serve in the House of Representatives from 1970 to 1972; his committee assignments included membership on the powerful Appropriations Committee, as well as the Oil and Gas, Insurance, Highways and Roads and Judicial Districts Committees; he authored and sponsored legislation which placed constitutional revision on the ballot; in accomplishing this legislation, he opened the way for revamping the 1876 Texas Constitution, a feat which legislators have tried to accomplish since 1919; and

WHEREAS, As a member of the Texas Senate he has continued his crusade

for constitutional reform and was successful in bringing about the passage of S.C.R. No. 1 which creates a Constitutional Revision Committee and S.B. No. 1 which provides funding for the Constitutional Revision Commission; his committee assignments include the vice-chairmanship of the Finance Committee, and membership on the State Affairs and Education Committees; and

WHEREAS, The activities of this vision-driven young man have gained public interest to such an extent that he was named the 1972 Politico of the Year by the San Antonio Light, and the 1972 Politician of the Year by the San Antonio Express and News; and

WHEREAS, His involvement in civic affairs is indicative of his interest and concern for the people and the city of San Antonio; he is a member of the Alamo Area Lumberman's Association; the San Antonio Jaycees; the San Antonio Chamber of Commerce; the Taxpayers League; Drug Abuse Central; the Texas Bar Association; the San Antonio Bar Association; he presently serves as the 1973 Director of the March of Dimes; and he is Finance Director of the Westside Y.M.C.A.; and

WHEREAS, Throughout his successful career, he has been strengthened by the loyal support and encouragement of his lovely wife, Melinda; their home has been blessed with two delightful children, Kevin Allen and Lyn Marie; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature of the State of Texas congratulate Senator Nelson Wolff on being named the Outstanding Young Man of 1972 by the San Antonio Junior Chamber of Commerce; and express our high regard for this dynamic young leader.

KOTHMANN,
TRAEGER

On motion of Senator Ogg and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Traeger, the resolution was adopted.

SENATE RESOLUTION 209 RECOMMITTED

On motion of Senator Mauzy and by unanimous consent, S.R. 209 was recommitted to the Committee on Education.

CO-AUTHOR OF SENATE JOINT RESOLUTION 4

On motion of Senator Herring and by unanimous consent, Senator Ogg will be shown as Co-author of S.J.R. 4.

VOTE BY WHICH SENATE CONCURRED IN HOUSE AMENDMENT TO SENATE BILL 49 RECONSIDERED

On motion of Senator Sherman and by unanimous consent, the vote by which the Senate concurred in House amendment to S.B. 49 was reconsidered.

Question, Shall the Senate concur in House amendment to S.B. 49?

Senator Sherman moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Sherman, Meier, Wallace, Adams and

Snelson.

HOUSE BILL 106 ON SECOND READING

Senator Santiesteban moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that H.B. 106 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Clower, Harrington, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Braecklein, Creighton, Gammage, Harris, Herring and Mengden.

The President laid before the Senate on its second reading and passage to third reading:

H.B. 106, A bill to be entitled An Act permitting right turns on red traffic signals under certain circumstances; amending Section 33, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

RECORD OF VOTE

Senators Braecklein, Harris, Herring, Creighton, Gammage and Moore asked to be recorded as voting "Nay" on the passage of the bill to third reading.

HOUSE BILL 106 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 106 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Clower, Harrington, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Braecklein, Creighton, Gammage, Harris, Herring and Mengden.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senators Mengden, Harris, Herring and Moore asked to be recorded as voting "Nay" on the final passage of the bill.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

H.C.R. 72

NOTICE OF EXECUTIVE SESSION

Senator McKinnon gave notice that he would move for an Executive Session of the Senate at 11:30 o'clock a.m. tomorrow.

**MOTION TO PLACE
SENATE BILL 187 ON SECOND READING**

Senator Traeger moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 187 be taken up for consideration at this time.

The motion was lost by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 23, Nays 8.

Yeas: Adams, Aikin, Andujar, Brooks, Clower, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Blanchard, Braecklein, Creighton, Harris, Herring, Mauzy, Mengden and Moore.

SENATE BILL 160 ON SECOND READING

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 160 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mengden.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 160, A bill to be entitled An Act amending statutes relating to accident and sickness insurance; prohibiting the exclusion of benefits provided for mental illness or mental retardation on the basis that the care or treatment is provided in a tax supported institution of the State of Texas including Community Centers for Mental Health and Mental Retardation Services; and providing an effective date.

The bill was read second time.

Senator Moore offered the following Committee Amendment to the bill:

Amend S.B. 160 as follows:

1. Amend the caption by striking the word "and" in the last sentence between "Services;" and "providing" and by adding to the end of the last sentence the words: "and declaring an emergency."

2. Add a new Section 3 to read as follows:

"Section 3. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended."

The Committee Amendment was read and was adopted.

The bill as amended was then passed to engrossment.

SENATE BILL 160 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 160 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Bracklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 257 - By Senator Adams: Extending congratulations to Jackie Foster.

S.R. 258 - By Senator Adams: Extending congratulations to Marcus Lee Hassell.

S.R. 259 - By Senator Adams: Extending congratulations to Lisa Halbert.

S.R. 261 - By Senator Adams: Extending congratulations to Cliff Powell.

S.R. 262 - By Senator Herring: Extending welcome to Lanier High School Students.

S.R. 265 - By Senator Snelson: Extending congratulations to Terry Gathercole.

S.R. 266 - By Senator Herring: Extending welcome to Maplewood Elementary School Students.

S.R. 267 - By Senator McKinnon: Extending welcome to Clinton Dan McKinnon.

S.R. 268 - By Senator Herring: Extending welcome to Campbell School Students.

S.R. 269 - By Senator Adams: Extending welcome to Mr. and Mrs. Bob Jackson, et al.

MEMORIAL RESOLUTIONS

H.C.R. 39 - Memorial resolution for Mrs. Laura Burleson Negley.

S.R. 256 - By Senator Adams: Memorial resolution for J. Willard Sutton.

S.R. 260 - By Senator Adams: Memorial resolution for Jack Renfro.

S.R. 263 - By Senator Brooks: Memorial resolution for Woodrow W. Lewis.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:33 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

THIRTY-THIRD DAY (Thursday, March 8, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Gammage, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Blanchard, Creighton, Harrington, Harris and McKinnon.

A quorum was announced present.

The Reverend Dr. Marvin Griffin, Ebenezer Baptist Church, Austin, Texas, offered the following invocation:

Eternal God, our Father, Giver and Preserver of life, give us wisdom, give us courage for the living of this day. Grant that we may truly and faithfully represent those who placed us in this office. Help us to do the right as we receive the grace to preceive the right.

Grant that our thoughts, utterances and actions may be acceptable in Your sight, O Lord, our strength and our Redeemer. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Herring.